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James H. Newberry, Jr.
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August 24, 2004

VIA FACSIMILE

RECEIVED

AUG 24 2004

**PUBLIC SERVICE
COMMISSION**

Ms. Beth O'Donnell
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
P.O. Box 615
Frankfort, KY 40602-0615

Case 2004-000331

RE: Proposed Transfer of Utility Assets from Berea
College to City of Berea

Dear Ms. O'Donnell:

Thanks for your assistance in arranging our conference with members of your staff and a member of the Attorney General's staff concerning the proposed transfer of utility assets from Berea College to the City of Berea. As a result of that meeting, I have clearer understanding of the issues which we will need to address in our forthcoming application. We intend to file our application late next week or soon after Labor Day.

Mr. Wuetcher and Mr. Raff suggested that the approval process might be accelerated if we proceeded to publish notice of the proposed transfer. Although no notice is required by either statute or regulation, they suggested that the publication of a notice would enable the customers of the Berea electric and water utilities to participate in the Commission's review, if they wished to do so. Mr. Wuetcher and Mr. Raff recommended that the notice (a) contain information comparable to the information required in rate cases and (b) include a case number for this proceeding. To that end, we request that you assign a case number for this proceeding now in order that we might include that information in our public notice.

www.wyattfirm.com

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919 Oak Street
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769 342 4501

1312 Arena Avenue, Suite 600
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200 West Main Street, Suite 2000
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502 539 3000

311 West Main Street
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502 527 2104

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101 West Spring Street, Suite 200
New Albany, IN 47150-1610
812 441 1500



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Once the case number is assigned, I would appreciate your advising me so that we can finalize our notice and have it delivered to the Berea newspaper. If possible, I would appreciate your forwarding the case number to me via fax or email so that we can expedite the publication of the notice.

Thanks for your attention to this matter.

Sincerely yours,

A handwritten signature in black ink that reads "James H. Newberry, Jr." in a cursive script.

James H. Newberry, Jr.

JHN:sc

cc: Gerald E. Wuetcher, Esq. (via fax)
Richard Raff, Esq. (via fax)
David Spenard, Esq. (via fax)
Elizabeth Blackford, Esq. (via fax)
Judge B. Wilson, II, Esq. (via hand delivery)
Noelle M. Holladay, Esq. (via hand delivery)

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